

Amendment No. 1 to SB1264

Beavers
Signature of Sponsor

AMEND Senate Bill No. 1264

House Bill No. 1130*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 4, Part 1, is amended by adding the following as a new section:

§ 36-4-134. Whenever a trial court finds that any person knowingly made a false allegation of sexual abuse in furtherance of litigation, in addition to any other penalties provided for by law or rule, the court may hold the accuser in contempt of court and may order the accuser to pay all litigation expenses, including, but not limited to, the reasonable attorney's fees, discretionary costs and other costs incurred by the wrongly accused party in defending against the false allegation.

SECTION 2. Tennessee Code Annotated, Title 36, Chapter 5, Part 1, is amended by adding the following as a new section:

§ 36-5-122. Whenever a trial court finds that any person knowingly made a false allegation of sexual abuse in furtherance of litigation, in addition to any other penalties provided for by law or rule, the court may hold the accuser in contempt of court and may order the accuser to pay all litigation expenses, including, but not limited to, reasonable attorney's fees, discretionary costs and other costs incurred by the wrongly accused party in defending against the false allegation.

SECTION 3. Tennessee Code Annotated, Title 36, Chapter 6, Part 1, is amended by adding the following as a new section:

§ 36-6-114. Whenever a trial court finds that any person knowingly made a false allegation of sexual abuse in furtherance of litigation, in addition to any other penalties provided for by law or rule, the court may hold the accuser in contempt of court and may order the accuser to pay all litigation expenses, including, but not limited to, reasonable attorney's fees, discretionary costs and other costs incurred by the wrongly accused party in defending against the false allegation.

SECTION 4. This act shall take effect July 1, 2010, the public welfare requiring it.